

IN THE CLAIMS

Claim 1. (Withdrawn).

Claim 2. (Withdrawn).

Claim 3. (Withdrawn).

Claim 4. (Withdrawn).

Claim 5. (Withdrawn).

Claim 6. (Withdrawn).

(B) Claim 7. (Currently Amended) A gel resistant, biocidally active concentrate or solution having a propensity to form a gel containing (a) between about 0.05 and about 25 wt.% of a biocidally active component; (b) between about 0 and about 40 wt.% of an organic oil; (c) between about 2 and about 20 wt.% of a terminally hindered carbodiimide; (d) between about 10 and about 80 wt.% of a lipophilic/hydrophilic emulsifier mixture having a HLB of from about 6 to 20 and (e) between about 0.5 and about 20 wt.%, based on (a) through (d), of an aliphatic anti-gelling agent selected from the group consisting essentially of an inorganic oxide, an epoxidized ester of a naturally occurring or synthetic vegetable oil and an epoxidized ester of a saturated or unsaturated C₆ to C₁₈ aliphatic acid optionally containing hydroxy substitution and mixtures of said anti-gelling agents.

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Claim 8. (Original) The gel-resistant biocidally active concentrate or solution of claim 7 in which said anti-gelling agent is an epoxidized compound wherein the epoxy moiety represents at least 5% of the total double bond and/or hydroxy content in the anti-gelling agent compound.

Claim 9. (Original) The composition of claim 7 wherein said carbodiimide contains a terminal nitrogen atom substituted with a radical selected from the group consisting of a lower alkyl phenyl, sulfonate, sulfonamide, imido, imidoester.

61. Claim 10. (Original) The composition of claim 7 wherein said carbodiimide is bis(tetra-and/or di- isopropyl phenyl) carbodiimide.

Claim 11. (Original) The composition of claim 7 wherein said carbodiimide is bis(alkoxyphenyl)carbodiimide.

Claim 12. (Original) The composition of claim 7 wherein said emulsifier mixture has an acid number less than 5.

Claim 13. (Original) The composition of claim 12 wherein said emulsifier mixture includes an oil containing 5 to 60 C₂ to C₃ alkoxy groups.

Claim 14. (Original) The composition of claim 7 wherein said emulsifier mixture includes an ethoxylated castor oil.

Claim 15. (Original) The composition of claim 7 wherein said hydrophilic emulsifier is a hydroxylated ester of a carboxylic acid which contains 5 to 60 C₂ to C₃ alkoxy units or a mixture thereof.

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Claim 16. (Original) The composition of claim 7 wherein said hydrophilic emulsifier is selected from the group consisting of an ethoxylated sorbitan mono-, di- and/or tri- oleate and a C₈ to C₁₂ alkyl phosphate or a mixture thereof.

Claim 17. (Original) The composition of claim 7 wherein said anti-gelling agent is employed at a concentration of between about 1 and about 15 wt.% of components (a) through (d) of the concentrate composition.

Claim 18. (Contingent upon reconsideration, is withdrawn from consideration).

Claim 19. (Contingent upon reconsideration, is withdrawn from consideration).

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Claim 20. (Previously Amended) The composition of claim 7 wherein said anti-gelling agent is selected from the group consisting of epoxylated linseed, safflower or soybean oil or a mixture thereof.

Claim 21. (Original) The composition of claim 7 wherein said anti-gelling agent is epoxidized linseed oil.

Claim 22. (Currently Amended) The composition of claim 7 4 wherein the HLB of the emulsifier mixture is between 6 and 11.

Claim 23. (Withdrawn).

Claim 24. (Withdrawn).

Claim 25. (Withdrawn).

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Claim 26. (Withdrawn).

Claim 27. (Withdrawn).

B/ Claim 28. (Currently Amended) The concentrate of claim 7 wherein the biocidal composition is water insoluble and the composition contains ~~containing~~ between about 5 and about 40 wt. % of a N-C₈ to C₁₂ alkyl pyrrolidone oil mixture.

Claim 29. (Previously added) The concentrate of claim 7 wherein the anti-gelling agent is a mixture containing at least two of the components selected from the group consisting of Ca oxide, epoxidized soybean oil and sorbitol.

Claim 30. (Previously added) The concentrate of claim 7 wherein the anti-gelling agent is a mixture of Ca oxide and epoxidized linseed oil or soybean oil.

REMARKS

Applicants confirm the election of Group I including claims 7-17, 20-22 and 28-30. It is respectfully requested that claims 18 and 19 be included in Group I election since these claims set forth species of anti-gellant used in claim 7 and which concerns the novelty of the present concentrate composition.

Support for the amendment to claim 7 is found in the paragraph bridging pages 1 and 2 of the specification. Support for the amendment to claim 28 is found in the last paragraph of page 3.